



COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

GAIL FARBER, Director

February 28, 2012

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

PUBLIC HEARING
RESOLUTION TO VACATE PORTIONS OF KANAN ROAD AND SLOPE EASEMENT
EAST OF SIERRA CREEK ROAD
IN THE UNINCORPORATED COMMUNITY OF CORNELL
(SUPERVISORIAL DISTRICT 3)
(3 VOTES)

SUBJECT

This action involves the proposed vacation of portions of Kanan Road and slope easement east of Sierra Creek Road in the unincorporated community of Cornell, which are no longer needed for public use. The vacation has been requested by the underlying property owner to enhance his property and eliminate encroachment of a portion his restaurant's parking lot.

IT IS RECOMMENDED THAT YOUR BOARD:

AFTER THE PUBLIC HEARING:

1. Find that this action is categorically exempt from the provisions of the California Environmental Quality Act.
2. Find that portions of Kanan Road and slope easement east of Sierra Creek Road in the unincorporated community of Cornell are unnecessary for present or prospective public use, and are not useful as nonmotorized transportation facilities.
3. Find that the public convenience and necessity require the reservation and exception of an easement and right of way for the maintenance, operation, replacement, removal, and renewal of utility facilities located within the portions of Kanan Road east of Sierra Creek Road in the

unincorporated community of Cornell, owned by Southern California Edison Company in accordance with Sections 8340 and 8341 of the California Streets and Highways Code.

4. Adopt a Resolution to Vacate portions of Kanan Road and Slope Easement east of Sierra Creek Road with Reservations (Conditional), pursuant to Section 8324 of the California Streets and Highways Code.

5. Upon approval, authorize the Director of Public Works to record the certified resolution with the office of the Los Angeles County Registrar-Recorder/County Clerk.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to find that the project is categorically exempt from the California Environmental Quality Act (CEQA) and allow the County of Los Angeles (County) to vacate portions of Kanan Road and slope easement east of Sierra Creek Road (Easements), in the unincorporated community of Cornell, since it no longer serves the purpose for which they were dedicated and are not required for public access or transportation.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1). The vacation of the Easements will result in added revenue through assessment and taxation and reduce the County's exposure to potential liability.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The vacation of the Easements will not have a negative fiscal impact on the County's budget. The applicant has paid a \$1,500 fee to defray the expenses of the investigation, mailings, publication, and posting. This amount has been deposited into the Road Fund. The fee was authorized by your Board in a resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321(d) of the California Streets and Highways Code.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The areas to be vacated contain approximately 2,934 square feet and are shown on the map that is attached to the enclosed Resolution to Vacate with Reservations (Conditional).

The procedure of the vacation of a County highway is set forth in Chapter 3 of Part 3 of Division 9 of the California Streets and Highways Code commencing with Section 8320.

Pursuant to Section 8320, your Board may initiate proceedings to vacate a public highway by having the Executive Office of the Board of Supervisors set a date (not less than 15 days after the initiation of proceedings), hour, and place for a hearing on the vacation.

Pursuant to Section 8322, notice of the hearing must be published for at least two successive weeks prior to the hearing in a daily, semiweekly, or weekly newspaper published and circulated in the County.

Pursuant to Section 8323, at least two weeks before the day set for the hearing, at least three notices of the hearing must be posted conspicuously along the line of the highway proposed to be vacated.

Pursuant to Section 8324, your Board may adopt a resolution vacating the highway if, after considering all the evidence offered at the hearing, your Board determines that the highway is unnecessary for present or prospective public use.

Additionally, pursuant to Sections 892 and 8314, your Board must also find that the highway proposed to be vacated is not useful as a nonmotorized transportation facility, prior to resolving to vacate the highway.

The County's interest in the Easements were acquired by deeds recorded on February 4, 1929, Book 7445, page 123; recorded on November 1, 1929, Book 9424, page 321; and recorded on February 25, 1965, Book D2811, page 447, of Official Records, in the office of the Registrar Recorder/County Clerk of the County of Los Angeles, as easements for slope, and streets, and highway purposes.

The vacation has been requested by Mr. John Danishewsky, on behalf of Mohammad Reza Zal, the underlying property owner, to eliminate the encroachment of a portion of the restaurant's parking lot and provide for additional parking area.

The proposed vacation was reviewed by the County Sanitation Districts, Fire Department, Department of Parks and Recreation, and the Department of Regional Planning, as well as the Department of Public Works. It was determined to be not useful as a nonmotorized transportation facility, and meets with the goals and objectives of the Community Plan and underlying zoning.

Easement rights for existing facilities will be reserved for Southern California Edison Company pursuant to Sections 8340 and 8341 of the California Streets and Highways Code.

In addition, the proposed vacation is subject to the condition that the property owner dedicate road right of way to the County for a portion of existing roadway along the east side of Sierra Creek Road, as shown on the map that is attached to the enclosed Resolution to Vacate with Reservations (Conditional). This right of way will be used for road and highway purposes to maintain traffic circulation in the area.

The condition must be met to the satisfaction of Public Works within one year of the date this resolution is adopted by your Board or the abandonment of the Easements will terminate and become null and void.

ENVIRONMENTAL DOCUMENTATION

This action is categorically exempt from the provisions of CEQA. The proposed vacation of the Easements is within a class of projects that has been determined not to have a significant effect on the environment in that it meets the criteria of Sections 15305 and 15321 of the State CEQA Guidelines. In addition, the project is not in a sensitive environment, and there are no cumulative impacts, unusual circumstances, or other limiting factors that would make the exemption under Section 15305 inapplicable based on the project records.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This action will allow for additional property taxes through the vacation of the Easements.

Existing easement rights for utility facilities will be reserved for Southern California Edison Company pursuant to Sections 8340 and 8341 of the California Streets and Highways Code.

CONCLUSION

The Department of Public Works, Survey/Mapping & Property Management Division, will post notices of the hearing in accordance with Section 8323 of the California Streets and Highways Code.

Please return one adopted copy of this letter and one original and one copy of the resolution to the Department of Public Works, Survey/Mapping & Property Management Division, together with a copy of your Board's minute order. Retain one original for your files.

Respectfully submitted,



GAIL FARBER
Director

GF:SGS:mr

Enclosures

c: Auditor-Controller (Accounting Division - Asset
Management)
Chief Executive Office (Rita Robinson)
County Counsel
Executive Office

**RESOLUTION TO VACATE
PORTIONS OF KANAN ROAD AND SLOPE EASEMENT
EAST OF SIERRA CREEK ROAD WITH RESERVATIONS
(CONDITIONAL)**

WHEREAS, the Board of Supervisors of the County of Los Angeles has conducted a noticed public hearing regarding the proposed vacation of portions of Kanan Road and slope easement east of Sierra Creek Road in the unincorporated community of Cornell (hereinafter referred to as the Easements), in the County of Los Angeles, State of California, as legally described in Exhibit A and depicted on Exhibit B, both attached hereto, in accordance with Chapter 3, Part 3, Division 9, of the Streets and Highways Code of the State of California, commencing with Section 8320, and has considered all evidence submitted at the hearing;

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

1. That the Easements are unnecessary for present or prospective public use, and are not useful as nonmotorized transportation facilities.
2. That the public convenience and necessity require the reservation and exception of easements and rights of way for the maintenance, operation, replacement, removal, and renewal of utility facilities located within the portions of Kanan Road, owned by the Southern California Edison Company in accordance with Sections 8340 and 8341 of said California Streets and Highways Code.
3. That the above-described Easements are hereby vacated pursuant to Chapter 3, Part 3, Division 9, of the California Streets and Highways Code of the State of California, commencing with Section 8320; reserving and excepting therefrom easements and rights of way for the maintenance, operation, replacement, removal, and renewal of utility facilities located within portions of Kanan Road in favor of the Southern California Edison Company.
4. That the proposed vacation is conditioned upon the underlying property owner dedicating an easement for public road and highway purposes for a portion of existing roadway along the east side of Sierra Creek Road. The condition must be met to the satisfaction of Public Works within one year of the date this resolution is adopted by the Board of Supervisors or the Vacation of the Easements will terminate and become null and void.
5. That upon the satisfaction of the above condition, the Director of Public Works or her designee is authorized to record the certified original resolution with the office of the Registrar-Recorder/County Clerk.

The foregoing resolution was on the _____ day of _____, 2012, adopted by the Board of Supervisors of the County of Los Angeles, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

APPROVED AS TO FORM:

ANDREA SHERIDAN ORDIN
County Counsel

SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By Julia Weston
Deputy

By _____
Deputy

NS:mr

P:\MPPUBADMIN\MARIA\BOARD RESOLUTIONS\SIERRA CRK RD RESOLUTION

EXHIBIT A

Project name: KANAN ROAD EAST OF
SIERRA CREEK ROAD
KANAN ROAD 15-26VAC

Includes: PARCEL NOS. 15-26VAC.1 and 15-26VAC.2

Affects: Sierra Creek Road (2)
A.I.N. 2063-025-Kanan Road (por)
T.G. 587-G3
I.M. 144-037
R.D. 339
S.D. 3
M0688123

LEGAL DESCRIPTION

PARCEL NO. 15-26VAC (Vacation of public road and highway easement):

That portion of that certain 40-foot wide strip of land in Lot 5 of Tract No. 2804, as shown on map recorded in Book 33, page 95, of Maps in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, described in deed to the County of Los Angeles, recorded on February 4, 1929, in Book 7445, page 123, of Official Records in the office of said Registrar-Recorder/County Clerk, within the following described boundaries:

Commencing at the intersection of the centerline of Kanan Road (formerly Triunfo Canyon Road), 100 feet wide, and the northerly prolongation of that certain course having a bearing and length of North 19°37'27" East 299.48 feet in the most easterly delineated centerline of Sierra Creek Road, 60 feet wide, as said intersection is shown on map filed in Book 151, page 80, of Record of Surveys, in the office of said Registrar-Recorder/County Clerk, said intersection also being a point in a curve concave to the north and having a radius of 850.00 feet in said centerline of Kanan Road, a radial of said curve to said point bears South 12°04'59" East; thence southerly along said northerly prolongation to a curve concentric with and 70 feet southerly, measured radially, from said curve having a radius of 850.00 feet; thence easterly along said concentric curve to its intersection with a line parallel with and 30 feet easterly, measured at right angles, from said certain course, said last mentioned intersection being the TRUE POINT OF BEGINNING; thence continuing easterly along said concentric curve to the southeasterly sideline of said certain 40-foot wide strip of land; thence northeasterly along said southeasterly sideline to a point in a curve concentric with and 50 feet southerly, measured radially, from said curve having a radius of 850.00 feet, said last-mentioned point is hereby designated as Point A; thence westerly along said last mentioned concentric curve to the beginning of a reverse curve concave to the southeast and having a radius of 27 feet, tangent to said last-mentioned concentric curve and tangent to said parallel line; thence southwesterly along said reverse curve to said parallel line; thence southerly along said parallel line to the TRUE POINT OF BEGINNING.

RESERVING easements and rights for utility facilities owned by Southern California Edison Company in, on, over, and across the above-described Parcel No. 15-26VAC hereby

EXHIBIT A

KANAN ROAD 15-26VAC

being vacated.

The reservation herein being made is done in accordance with the provisions of Sections 8340 and 8341 of the Streets and Highways Code, State of California.

Containing: 1,808± square feet.

PARCEL NO. 15-26VAC.1 (Vacation of public road and highway easement):

That portion of that certain 50-foot wide strip of land in above-mentioned Lot 5 of Tract No. 2804, described in deed to the County of Los Angeles, recorded on November 1, 1929, as Instrument No. 1261, in Book 9424, page 321, of above-mentioned Official Records, within the following described boundaries:

Beginning at the above-designated Point A; thence southwesterly along the southeasterly sideline of the above-mentioned certain 40-foot wide strip of land to its intersection with a curve concentric with and 30 feet easterly, measured radially, from that certain 210.00-foot radius curve having a central angle of 27°17'24" in the most westerly delineated centerline of said Sierra Creek Road; thence southerly along said concentric curve to the southeasterly sideline of said certain 50-foot wide strip of land; thence northeasterly along said last mentioned southeasterly sideline to a curve concentric with and 50 feet southerly, measured radially, from the above-mentioned curve having a radius of 850.00 feet; thence westerly along said last-mentioned concentric curve to the point of beginning.

Containing: 850± square feet.

Total area of Parcel Nos. 15-26VAC and 15-26VAC.1: 2,658± square feet

PARCEL NO. 15-26VAC.2 (Vacation of slope easement):

That certain parcel of land described as PARCEL NO. 15-26S.3 in the Final Order of Condemnation had in Superior Court Case No. 824,902, a certified copy of which was recorded on February 25, 1965, as Instrument No. 3757, in Book D2811, page 447, of above-mentioned Official Records.

Containing: 276± square feet.

This real property description has been prepared in conformance with the Professional Land Surveyors Act. The signatory herein is exempt pursuant to Section 8726 of the California Business and Professions Code.

APPROVED AS TO DESCRIPTION
<u>December 20, 2011</u>
COUNTY OF LOS ANGELES
By <u>[Signature]</u>
SUPERVISING CADASTRAL ENGINEER III
Survey/Mapping & Property Management Division

**NOTICE OF PROPOSED VACATION OF PORTIONS OF KANAN ROAD AND
SLOPE EASEMENT EAST OF SIERRA CREEK ROAD,
IN THE UNINCORPORATED COMMUNITY OF CORNELL
IN THE THIRD SUPERVISORIAL DISTRICT**

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the County of Los Angeles will conduct a hearing regarding the proposed vacation, with reservations, of portions of Kanan Road and slope easement east of Sierra Creek Road (Cornell, CA 91301), in the unincorporated portion of the County of Los Angeles, State of California, in the Third Supervisorial District, as described in Exhibit A and as shown on the map in Exhibit B, both attached hereto and incorporated herein by this reference.

The proceedings for the proposed vacation are being conducted pursuant to Chapter 3, Part 3, Division 9, of the California Streets and Highways Code of the State of California, commencing with Section 8320.

The hearing on the proposed vacation will take place in the Hearing Room of the Board of Supervisors, Room 381, Kenneth Hahn Hall of Administration, 500 West Temple Street (corner of Temple Street and Grand Avenue), Los Angeles, California, 90012, on February 28, 2012, at 9:30 a.m.

If you have any questions, please contact Jose Suarez at (626) 458-7060 Monday through Thursday from 7 a.m. to 5:30 p.m.

NS:mr

P:\MPPUB\ADMIN\MARIA\BOARD LETTER NOTICE OF HEARING\SIERRA CRK RD NOTICE OF HEARING

EXHIBIT A

Project name: KANAN ROAD EAST OF
SIERRA CREEK ROAD
KANAN ROAD 15-26VAC

Includes: PARCEL NOS. 15-26VAC.1 and 15-26VAC.2

Affects: Sierra Creek Road (2)
A.I.N. 2063-025-Kanan Road (por)
T.G. 587-G3
I.M. 144-037
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RESERVING easements and rights for utility facilities owned by Southern California Edison Company in, on, over, and across the above-described Parcel No. 15-26VAC hereby

EXHIBIT A

KANAN ROAD 15-26VAC

being vacated.

The reservation herein being made is done in accordance with the provisions of Sections 8340 and 8341 of the Streets and Highways Code, State of California.

Containing: 1,808± square feet.

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Containing: 850± square feet.

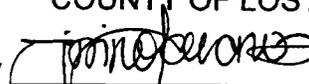
Total area of Parcel Nos. 15-26VAC and 15-26VAC.1: 2,658± square feet

PARCEL NO. 15-26VAC.2 (Vacation of slope easement):

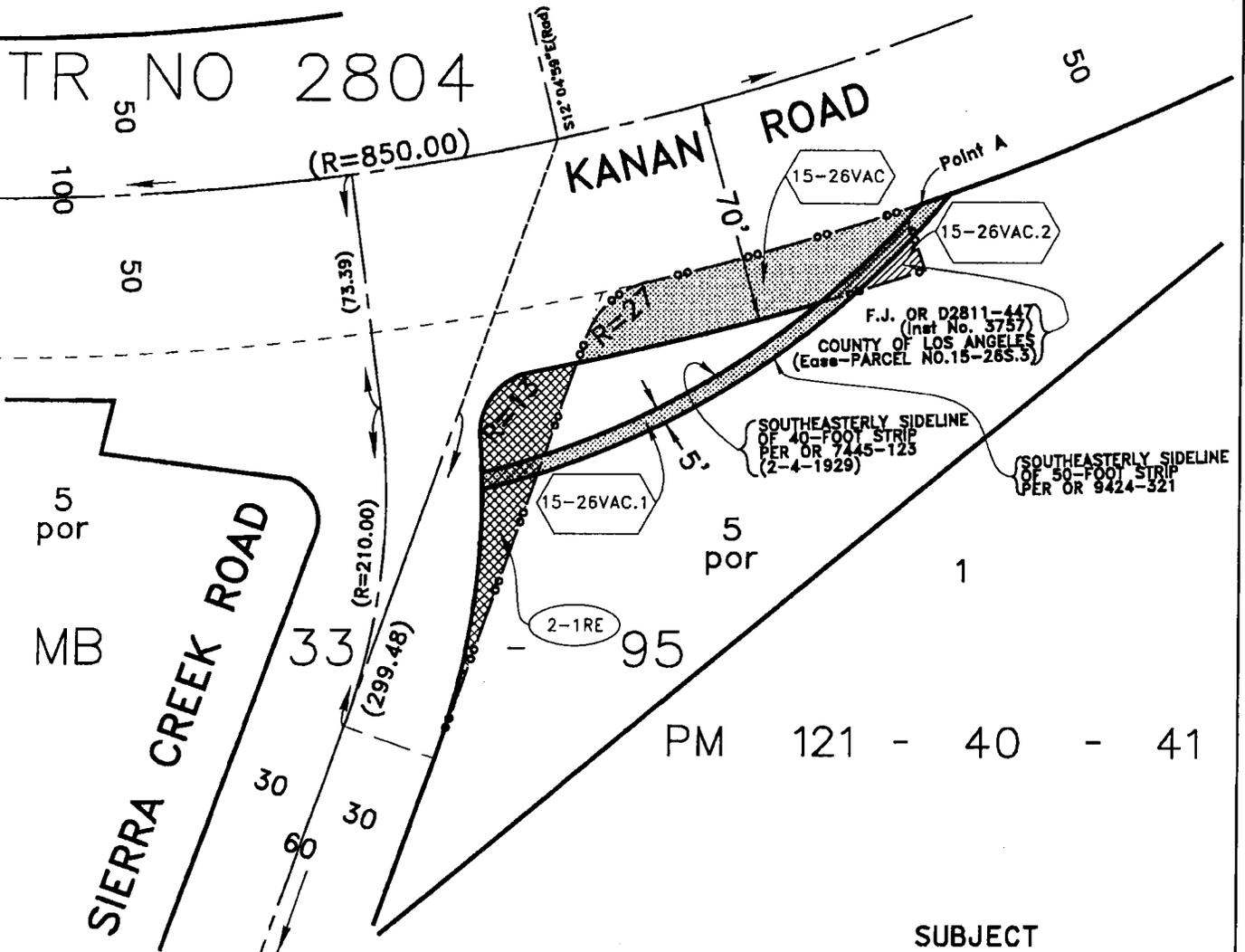
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Containing: 276± square feet.

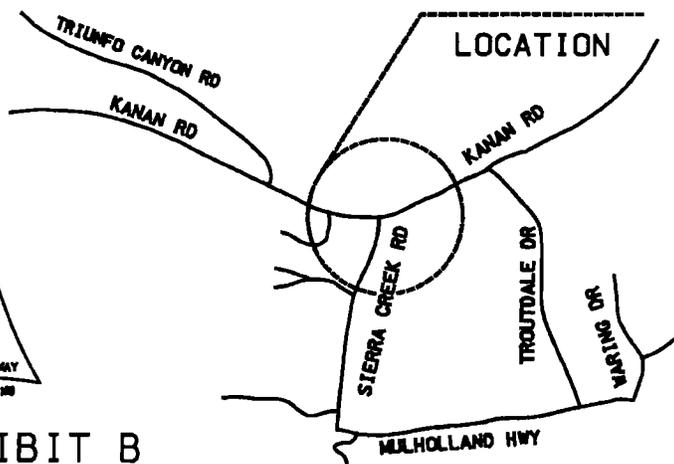
This real property description has been prepared in conformance with the Professional Land Surveyors Act. The signatory herein is exempt pursuant to Section 8726 of the California Business and Professions Code.

APPROVED AS TO DESCRIPTION
<u>December 20, 2011</u>
COUNTY OF LOS ANGELES
By <u></u>
SUPERVISING CADASTRAL ENGINEER III Survey/Mapping & Property Management Division

TR NO 2804



SUBJECT LOCATION



LEGEND

-  Proposed slope easement to be vacated
Total area: 276± s.f.
-  Proposed road right of way to be vacated
Total area: 2,658±s.f.
-  Area to be dedicated for public road and highway purposes
Total Area: 1,220± s.f.

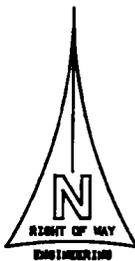


EXHIBIT B

REVISIONS

- | | | |
|----|----|----|
| 1. | 2. | 3. |
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DEPARTMENT OF PUBLIC WORKS

MAPPING & PROPERTY MANAGEMENT DIVISION

SD. 3	RD. 339	A. I. N. 2063-025-031	T. G. 587-G3
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DRAWING NO.

SCALE NONE	DATE 05-24-11	I. M. 144-037
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KANAN ROAD E/O
SIERRA CREEK ROAD

M0688123